

MINUTES

BLEOST MEETING

March 12, 2020

Call to Order:

The meeting was called to order at 9:04 a.m. by Vice-Chairman Barnett.

Roll Call:

Vice-Chairman Barnett called the roll and a quorum was established. Board members present were:

Chief Matt Barnett
Officer Brad Carter
Chief Don Gammage
Sheriff Jim Johnson
Dr. Steve Mallory
Constable Glenn McKay
Sheriff Greg Pollan
Hon. Ed Snyder
Mr. Windy Swetman

Hon. Emiko Hemleben, Board Counsel

Board members not present were:

Hon. Kassie Coleman
Chief Vance Rice
Mayor Gary Rhoads
Captain Lori Travis

Staff members present were:

Mrs. Mary L. Bailey
Mrs. Bebea Boney
Mr. Robert Davis
Mr. Michael Nash
Mrs. Donna Rogers
Mrs. Jennie Sturgis

Speakers/guests present were:

Director Clint McMurry, CLETA
Director Amy Vanderford, MDCCLETA
Mrs. Jackie Posey, Adams Co. S.O.
Training Director Liz Patrick, Columbus P.D.
Deputy Paula Hentges, Harrison Co. S.O.
Lt. Col. Thomas Tuggle, MLEOTA

Officer Carlton Miller, Marion P.D.
Director Dean Bearden, NMLETC
Asst. Director Joe Jackson, MLEOTA
Instructor Robert Cullom, MLEOTA
Instructor Ryan Buckley, MLEOTA
Instructor Derrick Cubit, MLEOTA
Instructor James Eklund, MLEOTA
Instructor Dan Rawlinson, MLEOTA
Ms. Katrina Jackson, Adams Co. S.O.
Ms. Cathy McGruder-Jones, MSVA/SAA
Ms. Ruth Braxton, MSVA/SAA
Instructor Jeremy Gordon, Jackson P.D.
Director Jacqueline Moreno, SRPSI
Mr. Richard Dean, Simpson Co. S.O.
Officer Leann Farr, Olive Branch P.D.
Chief Walter Armstrong, Natchez P.D.
Officer Gregory Sublett, Natchez P.D.
Col. Al McDaniel, MS National Guard

Introductory Remarks:

The guests introduced themselves and they were welcomed by Vice-Chairman Barnett.

Approval of Minutes:

A copy of the minutes from the previous meeting was emailed to each member. Sheriff Johnson made a motion to approve the minutes as presented. Mr. McKay seconded the motion. The motion carried without opposition.

Old Business

In-Service Training - Request for Approval:

1. Law Enforcement Cannabis Training; 1 hour online; 15-minute segments for 2020; Integral R+D.
2. Education in Aging Seminar-Summer 2020; 6 hours; Southern MS Planning & Development.
3. Protective Service Operations; 34 hours; Columbia Law Enforcement Training Academy.

Mr. McKay made a motion to approve the courses for in-service training. Dr. Mallory seconded the motion and it passed without opposition.

Old Business

Review and Discuss Academy of Record and Academy Release-Chief Gammage:

The Board and Academy Directors discussed the academy release policy. It was agreed that the Academy Directors should issue releases for a cadet to attend another academy if the agency head makes a request for a release. The exception would be if the cadet was dismissed or resigned from the academy of record for disciplinary reasons. The academy director should provide the agency head an explanation why this cadet should not be released.

It was agreed that a form, notifying the academy, should be created for the cadet to certify that he/she has never been admitted to another academy. If the cadet is deceitful on this form, the conduct could result in causing he/she from being eligible as a law enforcement officer.

New Business

Presentation-MS VA; Director McGruder-Lt. Col. Thomas Tuggle:

It was presented that if academies identify cadets as veterans, they may apply with the VA for them to research to determine that the cadet is eligible for educational benefits. The benefit could pay the tuition directly to the academy. Salary does not apply. This benefit would keep money in the agency.

Review HB1500-Military Training-Col. McDaniel; SB2759-Fresh Start Act; HB1434-Salary Threshold; HB1182-Board Membership:

The Board was presented with 4 active bills for their review. Col McDaniel addressed the Military Training bill. He stated that he was interested in assisting National Guard military police to be able to gain employment in law enforcement. The bill requires the Board to consider the equivalency of military training as the Board considers out of state training. Col. McDaniel stated that the training should be considered on a case by case basis. It was requested that members email any recommendations on this subject for the staff to prepare.

Discuss “Bridge” from Part-time Certification to Full-time Certification-Chief Barnett:

Chief Barnett stated that since we now have a 5-week refresher program that we should consider a way for part-time certified officers to gain full-time certification. It was requested that members email any recommendations on this subject for the staff to prepare.

Discuss Academy Law Course Instructor-Mr. Richard Dean:

Mr. Dean stated that he believes that only attorneys should teach legal subjects in the academies. The policy calls for lawyers or applicants with substantial legal training and experience to teach legal subjects in academies.

Discuss Self-Sponsor Refresher/Skill Updates/Legal Courses:

For clarification purposes, Sheriff Johnson made a motion that if a self-sponsor completes the refresher course or skill update/legal courses and doesn't reactivate their certificate within 2 years that the training must be repeated. Chief Gammage seconded the motion and it passed without opposition.

Certification of Officers:

Director Davis presented 2 F/T Basic classes, 34 F/T equivalency candidates, 1 P/T Basic class, 4 Refresher/Updates, and 21 P/T equivalency candidates for certification pending completion of all requirements. Sheriff Johnson made a motion to approve the classes and equivalency candidates for certification subject to meeting all requirements and Sheriff Pollan seconded the motion. The motion carried without opposition.

Certification Review Hearing – Officer Carlton Wallace Miller:

The Board on Law Enforcement Officer Standards and Training cancelled and recalled Officer Miller's certification on September 14, 2017. Since it has been over 2 years, he has the right to request that his certification be reissued since he has been hired by Marion Police Department.

Mr. Davis discussed the contents of Officer Miller's file. Officer Miller tested positive for cocaine while serving as an officer in 2011. In 2012, he was arrested for possession of cocaine and pled guilty.

Officer Miller asked the Board for leniency, he said that was a dark period in his life. He has maintained a job for 8 years and has passed all drug tests given to him.

The Chair entertained a motion. Sheriff Johnson made a motion to enter closed session to consider an executive session. Chief Gammage seconded the motion and it passed without opposition.

In closed session, the Chair entertained a motion to declare an executive session to consider the allegations of misconduct and evidence produced during open proceedings, and the possible issuance of an appealable order. Sheriff Pollan made a motion to enter executive session with a second from Dr. Mallory, the vote was unanimous.

After executive session, everyone was called back into the meeting room. Chief Gammage made a motion to come out of executive session with a second from Mr. McKay, the vote was unanimous.

The Chairman announced that after deliberation in executive session, the Board voted 9-0 to uphold the previous decision on September 14, 2017 based on the previous stated reason to deny the certification.

Certification Review Hearing – Officer Gregory Sublett:

The Board on Law Enforcement Officer Standards and Training's Certification Section reviewed

information contained in Officers Sublett's law enforcement certification file and determined that he is not eligible for law enforcement certification.

The Board on Law Enforcement Officer Standards & Training has been provided information that while he was employed as a Hattiesburg Police Officer that he resigned during an investigation. At the conclusion of this investigation, it was determined that he was not truthful in this investigation, that he was involved in a domestic violence incident and these actions brought discredit to the Hattiesburg Police Department and have a tendency to destroy public respect for police officers. He was indicted by the Grand Jury of Forrest County for Aggravated Domestic Violence, in violation of Miss. Code Ann. 97-3-7 (4) (1972), as amended, and plead guilty to a reduced lesser offense of Simple Assault, Miss. Code Ann. 97-3-7 (1) (1972), as amended. He was fined and ordered into probation. He left the Hattiesburg Police Department on 2/26/19 and was hired by the Natchez Police Department on 3/1/19. He did not report to the Natchez Police Department that he had been employed with the Hattiesburg Police Department. He falsified the BLEOST "Full-Time Law Enforcement Application for Certification" from the Natchez Police Department by not revealing his employment with the Hattiesburg Police Department and not revealing his involvement in a domestic violence investigation. He resigned from the Natchez Police Department prior to, during or at the conclusion of an investigation to prevent disciplinary action or termination. This investigation was due to his failure to disclose a law enforcement employer on his application.

It has been determined that he violated Board policy by pleading guilty, being fined and being ordered into probation in regard to a crime involving moral turpitude. This conduct and falsifying records are considered conduct that would violate the Law Enforcement Code of Ethics or would greatly diminish the public trust in the competence and reliability of a law enforcement officer.

Officer Sublett stated that the offense of domestic violence did not happen. He said his actions was self-defense. He explained the events of that night. He had pictures of injuries that he received and pictures of the female's injury. He said that he accepted the simple assault charge just to get it over with. He stated that he was told by an officer at Natchez that since he wasn't fired or arrested at that time that he didn't have to report this on his application. He said that he wasn't trying to falsify the application. Chief Armstrong spoke on Officer Sublett's behalf stating that he is willing to give him a second chance.

The Chair entertained a motion. Mr. Snyder made a motion to enter closed session to consider an executive session. Mr. McKay seconded the motion and it passed without opposition.

In closed session, the Chair entertained a motion to declare an executive session to consider the allegations of misconduct and evidence produced during open proceedings, and the possible issuance of an appealable order. Sheriff Pollan made a motion to enter executive session with a second from Mr. McKay, the vote was unanimous.

After executive session, everyone was called back into the meeting room. Sheriff Johnson made a motion to come out of executive session with a second from Mr. Snyder, the vote was unanimous.

The Chair announced that in executive session, after considering the facts presented, the Board voted 8 to 1 to recall and cancel certificate number 26180 in the name of Gregory S. Sublett. Chief Barnett voted against the recall.

Director's Report:

It was announced that the Roderick Brown case was appealed to the Marshall County Chancery Court and the Attorney General's office was handling the case for the Board.

The names of 4 fallen officers will be added to the monument this year. Constable E. Raye Hawkins, Investigator Jeremy Allen Voyles, Constable Willie Houston West, and Patrolman Robert S. McKeithen were killed in the line of duty in 2019.

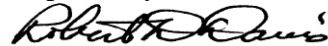
Next Scheduled Meeting:

The next meeting was set for May 7, 2020 at 9:00 a.m. at the Public Safety Planning Building.

Concluding Remarks; Adjournment:

The meeting was adjourned at 1:45 p.m.

Respectfully submitted,



Director, Board on Law Enforcement
Officer Standards and Training